IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MS JUSTICE G.ROHINI**

**WRIT PETITION No. 21197 of 2004**

Between:

P.Subbarayudu, S/o.P.Konappa, aged 45 years,
Medapuram Village, C.K.Palli Mandal, Anantapur District.

**..... PETITIONER**

AND

1 The Revenue Divisional officer, Dharmavaram, Anantapur District.
2 The Mandal Revenue officer, C.K.Palli Mandal, Anantapur District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction, particularly one in the nature of writ of Mandamus declaring the show cause notice dt.21-10-2004 made in RC No.174/2004/F on the file of the First Respondent as in violation of principles of natural justice, arbitrary and illegal.

**Counsel for the Petitioner: MR.A.BHASKARA CHARY**

**Counsel for the Respondent Nos.1 and 2: GP FOR CIVIL SUPPLIES**

**The Court made the following:**

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**ORDER:**

This writ petition is filed aggrieved by a notice dated 21.10.2004, issued by the 1st respondent/Revenue Divisional Officer, Dharmavaram of Anantapur District.

2. A perusal of the impugned notice shows that the petitioner, who was appointed as a permanent dealer of the fair price shop in question has not lifted the stocks on health grounds from June,2002 onwards and therefore he was called upon to show cause as to why his authorization should not be cancelled.

3. The learned counsel for the petitioner vehemently contends that since no enquiry is pending against the petitioner and his authorization is not even suspended, the impugned show cause notice is unsustainable and contrary to law. I am unable to agree with the contentions of the learned counsel for the petitioner.

4. The impugned notice is nothing but a show cause calling upon the

petitioner to explain as to why his dealership should not be cancelled for not lifting the stocks. It is open to the petitioner to submit his explanation, in which event, the same will be considered by the respondents and appropriate orders will be passed in accordance with law. At this stage, the writ petition is premature since there is no adverse order as such.

5. Accordingly, the writ petition is dismissed. No costs.

**dsr**

**ASSISTANT REGISTRAR**

**To:**

1. The Revenue Divisional Officer,

Dharmavaram, Anantapur District

2. The Mandal Revenue Officer,

C.K.Palli Mandal, Anantapur District

3. Two CCs to the Government Pleader

for Civil Supplies, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies.